



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE

I hereby give notice that a meeting of the Finance and Operational Performance Committee will be held on:-

DATE: Monday, 10 August 2009 **TIME:** 9.30 am

MEETING ROOM: Council Chamber

VENUE: Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere

to consider the business as set out herein and to take any necessary action connected therewith.

5 August 2009

Carmen Fernandes
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8887

MEMBERSHIP:

Councillors	RI	Clow (Chairman)
	JM	Clews, QSO, JP (Deputy Chairman)
	DQ	Battersby, QSM, JP
	BA	Brady, JP
	MFP	Chan, JP
	LA	Cooper, JP
	AK	Corban, OBE, JP
	RP	Dallow, QPM, JP
	WW	Flaunty, QSM, JP
	PA	Hulse
	MM	Jolley
	JP	Lawley, JP
	PG	Mitchell
	VS	Neeson, JP

Mayor RA Harvey, QSO, JP (ex officio)

(Quorum 5 members)

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(Meeting Room could be subject to change)

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE
COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER AT WAITAKERE
CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON MONDAY, 10 AUGUST 2009, COMMENCING AT 9.30 AM**

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AGENDA FOR A MEETING OF THE FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON MONDAY, 10 AUGUST 2009, COMMENCING AT 9.30 AM

PART A - OPENING OF MEETING

1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 CONFIRMATION OF MINUTES

Meeting Minutes - Monday, 6 July 2009

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the minutes of the meeting of the Finance and Operational Performance Committee held on Monday, 6 July 2009, as circulated, and that they be taken as read and now be confirmed.



PART B - LEGAL AND CONSTITUTIONAL

5 AFFIXATION OF COMMON SEAL

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Affixation Of Common Seal report.
2. **Agree** that the action taken in affixing the Common Seal on the documents as set out in the agenda report be adopted.

EXECUTION OF DOCUMENTS: 30 June to 31 July 2009

Nº	NAME	PARTICULARS
4797	WCC - Glen Hingston	Warrant of Appointment & Evidence of Identity - No.WCC298 - (lost - replacement)
4798	WCC - N Woodham	Encumbrance - 45 Kauri Loop Road, Oratia - Rule 44.2 Standing Orders
4799	WCC - Netball Waitakere Incorporated	Deed of Lease for part of Te Pai Park, Henderson - Resolution 2469/2006
4800	WCC - Nicholas Andrew Thomason	Warrant of Appointment and Evidence of Identity - No.WCC446
4801	WCC - IP & SW Harper	Partial discharge of Uncompleted Works and Maintenance Bond No.8188726.2 - Certificate of Title 455133
4802	WCC - KB Bailey, SM Thompson and ANZ National Bank Limited	Release of Uncompleted Work and Maintenance Bond No.7109526.6 - Certificate of Title 286916 - 24 Holden Road - RMA20051579
4803	WCC - KB Bailey and SM Thompson	Authority and Instruction for an electronic transaction - 24 Holden Road - RMA20051579
4804	WCC - IMG Developments Limited	Authority and Instruction for an electronic transaction - 113 Woodglen Road, Glen Eden - RMA2007-563
4805	WCC - New Zealand Housing Foundation	Fencing Agreement - 423-429 West Coast Road, Glen Eden - RMA20061078
4806	WCC - New Zealand Housing Foundation	Authority and Instruction for an electronic transaction regarding Easements - 423-429 West Coast Road, Glen Eden - RMA20061078
4807	WCC - Housing New Zealand Limited and Lundo Holdings Limited	Drainage easement in gross - Identifier 436168 and 436169 - 94 and 94A Kervil Avenue, Te Atatu Peninsula - RMA20061531
4808	WCC - Housing New Zealand Limited and Lundo Holdings Limited	Authority and Instruction for an electronic transaction - Identifier 436168 and 436169 - 94 & 94A Kervil Avenue, Te Atatu Peninsula - RMA20061531

Nº	NAME	PARTICULARS
4809	WCC - Rei Katamiro	Warrant of Appointment & Evidence of Identity - No.WCC447
4810	WCC - Michael Tuivaiti	Warrant of Appointment and Evidence of Identity - No.WCC448
4811	WCC - MAE Holdings Limited	Authority and Instruction for an electronic transaction - Easement in gross – Certificates of Title 458439 and 458440 - 46-50 Millbrook Road, Henderson - RMA20031988
4812	WCC	Plan Change 30 and 31 regarding earthworks in the Transport Environment outside and within Waitakere Ranges Heritage Area - resolution 1187/2009
4813	WCC - Tal Tsabari	Warrant of Appointment and Evidence of Identity - No.WCC311 (Replacement)
4814	WCC - FM Maxwell and Richmond Eden Limited	Authority and Instruction for an electronic transaction re Easements in gross - Certificates of Title 423347 to 423349 - 46 Landing Road, Titirangi - RMA20020091, 20041339, 20050279, 20050926 and 20081823
4815	WCC - FM Maxwell and Veronica House Limited	Fencing Agreement – Certificates of Title 423347 and 423349 - 46 Landing Road, Titirangi - RMA20020091, 20041339, 20050279, 20050926 and 20081823
4816	WCC - Kate Morrissey	Warrant of Appointment and Evidence of Identity - No.WCC449
4817	WCC - APN Outdoor Limited	Deed of Sub-Licence (in duplicate) - Consent of Council regarding “Legends of the West” project.
4818	WCC - TA and TN Hussain	Authority and Instruction for an electronic transaction - 72 and 72A Glen Road, Ranui - Certificate of Title 462275 - RMA20081109
4819	WCC - JS and YV Matijevich	Drainage easement in gross - Certificate of Title 291862 - 15 Lesa Annis Place, Henderson - SPW20876
4820	WCC - New Zealand Housing Foundation	Fencing Agreement - 423-429 West Coast Road, Glen Eden (Stage 2) - Certificates of Title 364350 to 364360

Report prepared by: Denis Sheard, Legal Services Manager.



PART C - FINANCE

6 INTERIM MANAGEMENT REPORT 30 JUNE 2009

EXECUTIVE SUMMARY

A1-A22

The purpose of this report is to present to the Finance and Operational Performance Committee the Interim Management Report as at 30 June 2009 attached at pages A1 to A22.

The Final Management Report will be reported as Council's Annual Report, which is subject to audit. The Interim Management Report presented will have variances to the final Annual Report for the following reasons:

- The unit budgets reported in the interim report need to be adjusted where expenditure has occurred at a unit level but the budget held at a corporate level. In particular, this applies to payroll increments and fleet adjustments. Where this is a significant cause of unit budget variances it is reported as such in the individual unit commentaries.
- The final Annual Report will also contain a number of non cash adjustments in the operating statement that need to be reported in order to comply with Accounting Standards which are not included in the Interim Management Report. Examples are vested assets, mark to market adjustment for interest swaps and depreciation adjustments arising from asset revaluations.

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the Interim Management Report 30 June 2009.

BACKGROUND

1. Through the Long Term Council Community Plan and Annual Plan process, the Council approves operating and capital expenditure. The Council follows good practice for procurement of goods and services and ensures that funding has been provided from appropriate sources.

DECISION MAKING

2. There are no decisions required in respect of this report.

Issues

3. Explanations for significant variances between actual results and the amended Annual Plan budgets are provided.

STRATEGIC CONTEXT

4. The Council's operating and capital expenditure delivers projects necessary to achieve the Council's strategic direction.

CONSULTATION

5. No consultation was required in respect of this report.

RESOURCES

6. This report has no resource implications.

IMPLEMENTATION ISSUES

7. There are no implementation issues in respect of this report.

AUCKLAND COUNCIL TRANSITION ISSUES

8. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Khee Mee Soo, Deputy Director: Finance and Stephen Drumm, Associate Director: Finance.



7 STATUS OF SPECIAL FUNDS

EXECUTIVE SUMMARY

A23

The purpose of this report is to inform the Finance and Operational Performance Committee on the status of the Council's Special Funds as at 30 June 2009, as attached at page A23.

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the Status Of Special Funds report.

BACKGROUND

1. Special funds are those funds held or designated by the Council for a specific purpose or purposes. The balances of these funds are used to offset the Council's borrowing requirements. Interest is allocated to applicable funds at official market rate as dictated for each month.
2. Special fund movements are recommended through the Long Term Council Community Plan and Annual Plan adoption process. Special funds are classified as either "Restricted Funds" or "Non-Restricted Funds". Restricted funds are those funds that have been received by the Council from a third party or parties and are to be used for a specific purpose or purposes. Non-restricted funds are funds established by a Council resolution to use and set aside its own funds and also to meet a specific purpose or purposes.

A24-A25

3. Description of the nature of each special fund item is attached at pages A24 to A25.

DECISION MAKING

4. There are no decisions required in respect of this report.

STRATEGIC CONTEXT

5. The Council uses special funds as provided for in the Long Term Council Community Plan and Annual Plan.

CONSULTATION

6. No consultation was required in respect of this report.

RESOURCES

7. This report has no resource implications.

IMPLEMENTATION ISSUES

8. There are no implementation issues in respect of this report.

AUCKLAND COUNCIL TRANSITION ISSUES

9. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Khee Mee Soo, Deputy Director: Finance.



8 BORROWING AND INVESTMENT REPORT

GLOSSARY

Long Term Council Community Plan	(LTCCP)
Waitakere City Council	(the Council)
Finance and Operational Performance Committee	(the Committee)

EXECUTIVE SUMMARY

This is a monthly report to Waitakere City Council's (the Council's) Finance and Operational Performance Committee (the Committee) and is also a requirement of the Council's adopted Liability Management and Investment Policy. It provides information on the Council's borrowing and investment activities over the past month and also high level information on current financial market conditions. From time to time additional and more detailed information is requested on particular areas of interest by the Finance and Operational Performance Committee or other Committees.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Borrowing And Investment Report.
2. **Approve** the Borrowing And Investment Report.

BACKGROUND

1. The Council enters into treasury related financial contracts in the ordinary course of its business. It is the role of the Council's Funds Management section to manage such contracts and the impact that they have on the organisation. All funds management transactions are governed by the Liability Management and Investment Policy prepared in compliance with the Local Government Act 2002. As a requirement of that Policy this report informs the Committee on the current and future movements of the Council's debt and cash investments, and provides a general commentary of financial market conditions.

A26-A31

2. The relevant portfolio and graphs reflect the estimated position as at 30 June 2009 and are attached at pages A26 to A31.

DECISION MAKING

3. The Committee must consider whether to approve the Borrowing and Investment Report.

Issues

4. The Council's funds management function actively manages a large portfolio of various debt and investment instruments. The benefit of borrowing is that it enables the Council to carry out the projects identified in the Annual Plan and Long Term Council Community Plan (LTCCP), while spreading the costs for those projects over time to recognise the future benefits. Borrowing funds therefore assists the Council with its loans funded strategic initiatives. The Liability Management and Investment Policy requires that a report detailing the management of the portfolio be presented to the Committee on a regular basis. The report must include information on the following subjects:

- Cash/debt position;
- Forecasted borrowing profile;
- Interest rate profile;
- Risk management;
- Material transactions; and
- Market commentary.

5. This report addresses the requirement of the Liability Management and Investment Policy and may include other information that is relevant to the funds management function.

Financial Implications

6. The active management of the treasury portfolio seeks to minimise the Council's borrowing costs and maximise investment returns of liquid assets. The funds management function is also charged with seeking investors, thus ensuring that there is sufficient liquidity available for the Council to continue its work programme. New Zealand financial markets are significantly volatile and therefore interest rate risk management is a key responsibility of the funds management function. Detailed financial information included within this report is intended to give assurance of the prudent management of the Council's portfolio.

7. The Council maintains a Standard and Poor's Credit Ratings of A-1 short term, and A+ long term (Positive Outlook).

8. The Council has adopted financial ratios included in its Liability Management and Investment Policy which provide limits on the level of debt and interest the Council will have. The table below shows the ratio limit, the 2007/08 actual and the 2008/09 budgeted levels.

Financial Ratio	Actual 2007/2008	Budget 2008/2009
Net Debt as a percentage of income	144.48%	194%
Net interest as a percentage of income	9.4%	11%
Net Interest as a percentage of rates	17.7%	18%

Table 1: Ratio limits of debt and interest

Interest Rates

9. The Reserve Bank of New Zealand again decided to leave its Official Cash Rate unchanged at 2.50% at the 30 July 2009 review. The strong New Zealand dollar and higher than anticipated wholesale interest rates were again mentioned in the Reserve Bank's statement and the risks that this presents to a sustained economic recovery. Again, the statement reiterated that the Official Cash Rate would remain at current or below current levels through to the latter part of 2010.
10. The Reserve Bank's statement was largely of a tone expected within financial markets. There was little, if any, volatility in interest rates or exchange rates in the lead up to the statement and, therefore, no volatility afterwards, which is normally the result when financial markets have weighed probabilities and traded accordingly.
11. New Zealand 90 day bank bills have remained relatively stable over the past month at around 2.78% – 2.80%. Longer term rates have also been stable, though the wholesale 10 year swap interest rate decreased by 0.10% after the release of the Reserve Bank's statement.

STRATEGIC CONTEXT

12. The management and use of borrowing and investments is aligned to all of the Council's strategic objectives, as adopted in both the LTCCP 2006-2016 and the Annual Plan 2008/2009.

CONSULTATION

13. This report includes data sourced by the Council's external treasury advisors, Asia Pacific Risk Management, and material, opinions or views sourced from various financial institutions.

RESOURCES

14. The Council, through its Annual Plan 2008/2009, provided for total new borrowings of \$224.915 million, including loans attributable to projects carried forward from previous years totalling \$105.488 million. Total interest cost has been provided in the Annual Plan 2008/2009 of \$27.292 million.

IMPLEMENTATION ISSUES

15. There are no implementation issues identified for this report.

AUCKLAND COUNCIL TRANSITION ISSUES

16. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Bruce Wilkin, Group Manager: Funds Management.



9 PAYMENTS APPROVED

EXECUTIVE SUMMARY

The purpose of this report is to advise the Finance and Operational Performance Committee of payments made by the Council.

A32-A39

A summary schedule of payments over \$5,000 made for the period 23 May 2009 to 24 July 2009 are attached at pages A32 to A39.

Payments have been provided for in accordance with approved budgets.

If a Committee member wishes to ask specific questions relating to any of these payments please direct them to the Director: Finance prior to the meeting. This will enable a response to be adequately researched.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the Payments Approved report.

BACKGROUND

1. All payments made by the Council are presented to the Finance and Operational Performance Committee on a progressive monthly basis. Elected members are able to review the information provided and seek information or clarification in respect of any of those payments.

DECISION MAKING

2. No approvals or decisions are required.

STRATEGIC CONTEXT

3. The Council makes various payments as provided for in its Long Term Council Community Plan and Annual Plans. The Council follows good practice for procurement of goods and services and ensures that funding has been provided from appropriate sources.

CONSULTATION

4. No consultation was required in respect of this report.

RESOURCES

5. This report has no resource implications.

IMPLEMENTATION ISSUES

6. There are no implementation issues in respect of this report.

AUCKLAND COUNCIL TRANSITION ISSUES

7. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: John MacKenzie, Group Manager: Rates and Financial Transactions.



10 AUCKLAND TRANSITION COSTS JUNE 2009

This report was not available at the time of printing and will be circulated separately.



PART D - GENERAL

11 WAITAKERE ENTERPRISE ACTIVITY PLAN 2009/2010

GLOSSARY

Statement of Intent	(SOI)
Council-Controlled Organisation	(CCO)
Waitakere Enterprise	(WE)

EXECUTIVE SUMMARY

The operational governance of Waitakere Enterprise (WE) is managed through three documents:

- A Statement of Intent (SOI);
- A Funding and Service Agreement; and
- An Annual Activity Plan.

The SOI and Funding and Service Agreement were approved at the Finance and Operational Performance Committee's July 2009 meeting, and comments were invited on the Activity Plan. This report presents the final Activity Plan for approval.

RECOMMENDATIONS

It is recommended that the Finance and Operational Performance Committee resolve to:

1. **Receive** the Waitakere Enterprise Activity Plan 2009/2010 report.
2. **Approve** the Waitakere Enterprise Activity Plan 2009/2010.

BACKGROUND

1. WE is a council-controlled organisation (CCO) as defined by section 6 of the Local Government Act 2002 and is wholly owned by Waitakere City Council.
2. At its meeting held on Monday, 6 July 2009, the Finance and Operational Performance Committee approved the SOI and Funding and Service Agreement for WE for the 2009/2010 year.
3. Under the terms of the Funding and Service Agreement approved on 6 July 2009, an Annual Activity Plan was to be prepared and submitted to the relevant Council Committee no later than 31 July 2009 for comment, with a final Activity Plan submitted for adoption to the appropriate Council Committee by 31 August 2009.
4. At its meeting held on Monday, 6 July 2009, the Finance and Operational Performance Committee passed the following resolution:

“The Finance and Operational Performance Committee resolved to:

4. *Agree that the Director: Strategic Planning finalise Council’s feedback on the Waitakere Enterprise Activity Plan 2009/2010 and the submission be approved by the Chairman and Deputy Chairman of the Finance and Operational Performance Committee.”*

1163/2009

A40-A54

A55

5. Accordingly a letter was provided to WE summarising the Finance and Operational Performance Committee's comments. This letter is attached at page A55.

A56

6. A letter responding to the Finance and Operational Performance Committee's comments was received from WE, and is attached at page A56.
7. A draft Activity Plan 2009/2010 was submitted for comment to the Finance and Operational Performance Committee on 6 July 2009, and a final Activity Plan is attached at pages A40 to A54 for approval.

DECISION MAKING

8. This report seeks the Finance and Operational Performance Committee's approval of the WE Activity Plan 2009/2010.

A40-A54

9. The table below shows a summary of the application of Council's funding to activities. The final Activity Plan is attached at pages A40 to A54.

Activity	Programme	Council Funding	Other Funding	Total Funding
GOVERNANCE	Board Administration	70,800		70,800
	Administration and Overheads	596,200	108,252	704,452
	Communications	120,000		120,000
NEW BUSINESS START-UPS			93,500	93,500
BUSINESS INFORMATION, TRAINING AND MENTORING	BizInfo		25,200	25,200
	Enterprise Training Programme		71,245	71,245
	Business Seminars	10,000		10,000
	Business Mentors		7,200	7,200
	Rugby World Cup	20,000		20,000
	Escalator Programme		1,800	1,800
BUSINESS STRATEGY AND COACHING		55,000	30,000	85,000
SUSTAINABLE BUSINESS PRACTICE		10,000		10,000
BUSINESS ATTRACTION, EXPANSION AND RETENTION	Business Attraction Service	60,000		60,000
	Key Client Management Service	30,000		30,000
	Venture Capital Service	0	TBA	TBA
BUSINESS NETWORKING AND AWARDS	Business Awards	44,000	191,000	235,000
	Business networks	20,000	58,000	78,000
KEY INDUSTRY SUPPORT	Marine	35,000		35,000
	Tourism	10,000		10,000
	Film		9,600	9,600
FOUNDATION SKILLS	Youth, ESOL, Adult, Workplace Literacy		988,923	988,923
POST SCHOOL TRANSITION			53,000	53,000
EDUCATIONAL ACHIEVEMENT AND ALIGNMENT		37,000		37,000
TOTAL		1,118,000	1,637,720	2,755,720

Table 1: Summary of Council's funding of activities.

Issues

WE Funding and Service Agreement 2009/2010

10. The main features of the Funding and Service Agreement 2009/2010 are:
 - The agreement commences on 1 July 2009 and expires on 30 June 2010.
 - Council will pay \$1,118,000 to WE plus GST in consideration of WE undertaking the activities described in the Annual Activity Plan 2009/2010.
 - Any proposed activity additional to that defined in the Annual Activity Plan 2009/2010, or reprioritisation of activities, must be agreed between WE and the Council.
11. After consideration of the Finance and Operational Performance Committee's comments, there were no changes required in the draft Activity Plan. The draft Activity Plan can therefore be adopted as final.
12. The funding proposed in the Annual Activity Plan represents that same amount as received by WE in 2008/2009. A feature of the Activity Plan is that for every dollar invested by Council in WE's activities, a further \$1.46 is obtained from other funding sources.

STRATEGIC CONTEXT

13. At its meeting of 4 June 2009, the Policy and Strategy Committee resolved to:

“The Policy and Strategy Committee resolved to:

Approve the adoption of the Waitakere Economic Wellbeing Strategy 2009, subject to any final changes directed by the Policy and Strategy Committee.”

877/2009

14. Consequently the SOI has been amended to include the strategic context contained within the Waitakere Economic Wellbeing Strategy 2009. The Activity Plan contributes to the achievement of the following strategic outcomes from the Economic Wellbeing Strategy:
 - **Place:** Local economic growth is maximised by integrated planning, investment, and utilisation of land and infrastructure.
 - **People:** People have better educational and skill levels, are more engaged in productive work and enjoy a higher standard of living.
 - **Enterprise Development:** Enterprises are strengthened, capitalise on local unique characteristics, and demonstrate resilience, innovation, local commitment and environmental responsiveness.
 - **Promotion:** Waitakere has a great reputation that attracts businesses, visitors and worldwide attention, provides a competitive advantage and strengthens community pride.
 - **Partnering:** Waitakere's economic wellbeing is enhanced by effective collaboration between private and public agencies and by a policy and regulatory framework that encourages innovative and sustainable economic activities.

CONSULTATION

15. The Chief Executive of WE has been consulted throughout the process of developing the Annual Activity Plan 2009/2010.

RESOURCES

16. There are no resource implications other than staff time.

IMPLEMENTATION ISSUES

17. The governance review of CCOs has established the Waitakere City Holdings Limited Board, who will manage the relationship and performance of CCOs such as WE and Waitakere Properties Limited. The relationship between the Council and Waitakere City Holdings Limited Board will be managed by the Director: Corporate and Business Services.
18. The performance of WE in achieving the performance measures identified in the Activity Plan will therefore be reported quarterly to the Finance and Operational Performance Committee as part of regular financial and operational reporting and commentary by Waitakere City Holdings Limited.

AUCKLAND COUNCIL TRANSITION ISSUES

19. On 23 July 2009, the Chief Executive Officer received confirmation from the Auckland Transition Agency that it had confirmed the decision to adopt the SOI. Therefore the decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Steve Wilcox, Manager: Economic Development Strategy.



12 THE TRUSTS STADIUM 2008/2009 END OF YEAR PERFORMANCE REVIEW

GLOSSARY

The Trusts Stadium	(the Stadium)
2007/2010 Trusts Stadium Funding Agreement	(the Agreement)
Waitakere City Stadium Trust	(WCST)
Waitakere City Leisure Precinct Sports Complex Charter	(the Charter)
Dean Lonergan Events	(DLE)
Basketball Waitakere City	(BWC)

EXECUTIVE SUMMARY

The purpose of this report is to inform the Finance and Operational Performance Committee on the performance of The Trusts Stadium (the Stadium) in year two of the 2007/2008 to 2009/2010 Trusts Stadium Funding Agreement (the Agreement).

The Stadium had a productive year in 2008/2009 given the economic climate which was anticipated to impact on the Stadium's performance, particularly in the events area. The Stadium has however, managed to adapt to meet the changing environment which has seen visitors numbers maintained and even increased in some areas over the past 12 months.

The Stadium undertook a re-branding exercise which appears to be working, with a considerable increase in the number of function bookings in 2009 compared to previous years. A comprehensive Asset Management Plan has been completed which details the timing and expected costs of replacement for all Stadium assets and will ensure the Stadium is maintained to a high standard.

RECOMMENDATION

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive The Trusts Stadium 2008/2009 End Of Year Performance Review report.

BACKGROUND

1. The Stadium is owned and operated by the Waitakere City Stadium Trust (WCST). The Stadium was constructed in 2004 to provide the wider Waitakere community with a multi-purpose venue for the hosting of sporting, leisure, trade and cultural activities and events. The Council provided the land and contributed \$12,865,000 of capital funding towards the total cost of the project to ensure ongoing affordable community access to the facility and to secure an alternative venue for the Waitakere Basketball Association.
2. The Waitakere City Leisure Precinct Sports Complex Charter (the Charter) exists between the WCST, the Council and two other partner organisations, the Waitakere City Rugby Club and the Waitakere Athletics Club. The Charter sets out in Schedule B community objectives that the Stadium is to meet and the principal objectives of the Council's contribution to the Stadium.
3. The Council recognises that the Stadium facilities are capable of hosting national and international events and providing economic benefits to Waitakere. The Council also wants to ensure wider community benefit by supporting the community's ability to use and enjoy the Stadium. The Council recognised the need to provide some initial operational investment whilst the Stadium established itself and has continued to support the Stadium since opening.
4. At the Finance and Operational Performance Committee meeting held on Monday, 7 May 2007 it was resolved as follows:

“The Finance and Operational Performance Committee resolved to:

2. *That a three year Funding and Services Agreement, from 2007/2008 to 2009/2010, between Council and the Waitakere City Stadium Trust for the operation of The Trusts Stadium be prepared and reported back to the Finance and Operational Committee for approval.”*

836/2007

5. The Council worked closely with the WCST to develop the Agreement which was approved at the full Council meeting on 27 February 2008.

DECISION MAKING

6. There is no decision making requirement for this report.

Issues

7. In the Agreement, the terms 'Arena' and 'Precinct' are used to describe indoor or outdoor activities held at the Stadium. These two terms are defined as:

- Arena – All of the sporting facilities inside the Stadium excluding Trusts Stadium Fitness and the Physiotherapy clinic.
 - Precinct - All the facilities outside the Stadium including the Douglas Track and Field grandstand and adjoining playing fields.
8. In the Agreement, ‘visitors’ have also been broken down into five user categories to assist with analysing the different types of visitors the Stadium attracts. Definitions for these categories are provided in Table 1 below. They are:
- Community Arena users;
 - Community Precinct users;
 - Arena Event visitors;
 - Precinct Event visitors; and
 - Functions users.

Visitors

9. Below is a table summarising the visitors to the Stadium per user category for the last 12 months along with the annual target and definitions as outlined in the Agreement.

Category	Definition	Annual Target	Actual figures	Comment
Community Arena users	Community visitors who primarily use the Arena for the purpose of sport or recreation.	Min 110,000	119,495 2007/2008 (125,870)	Exceeded Slightly below last years result.
Community Precinct users	Users of the Precinct including athletics track, playing fields and grandstand users whose primary activity is sport and recreation.	Min 100,000	126,176 2007/2008 (80,309)	Exceeded Well ahead of last year due to inclusion of casual track and field users.
Arena Event visitors	Visitors to one off events inside the Stadium and including professional sport users of the Arena.	Min 190,000 event visitors (includes both Arena and Precinct Events visitors)	109,067 2007/2008 (145,399)	Not met Total 185,309 achieved 98% of target.
Precinct Event visitors	Visitors to events held outside in the Precinct and includes events that utilise both the Arena facilities and Precinct facilities for the same event.		76,242 2007/2008 (16,080)	
Function users	Visitors to the function facilities including meeting room visitors.	No target	53,915 2007/2008 (17,435)	No target but well ahead of last year.
Total visitors		Min 450,000	484,895 2007/2008 (385,003)	Achieved

Table 1: Visitors to Stadium by Category.

10. The period between March and June is traditionally the busiest period for the Stadium (as can be seen in Chart 1 below) with winter sports in full swing and minimal disruption due to school holidays. The strong finish to the year enabled the Stadium to achieve or exceed all but one of the visitor targets.
11. The Stadium achieved 98% (185,309) of the combined events target falling just 4,691 visitors short of the annual target of 190,000. This result was still well ahead of last year's and given the recession should be seen as a positive result for the Stadium. This is especially so given that in the last year's reporting period the Stadium also hosted several large one off events such as the World Netball Championships (38,000 visitors alone).

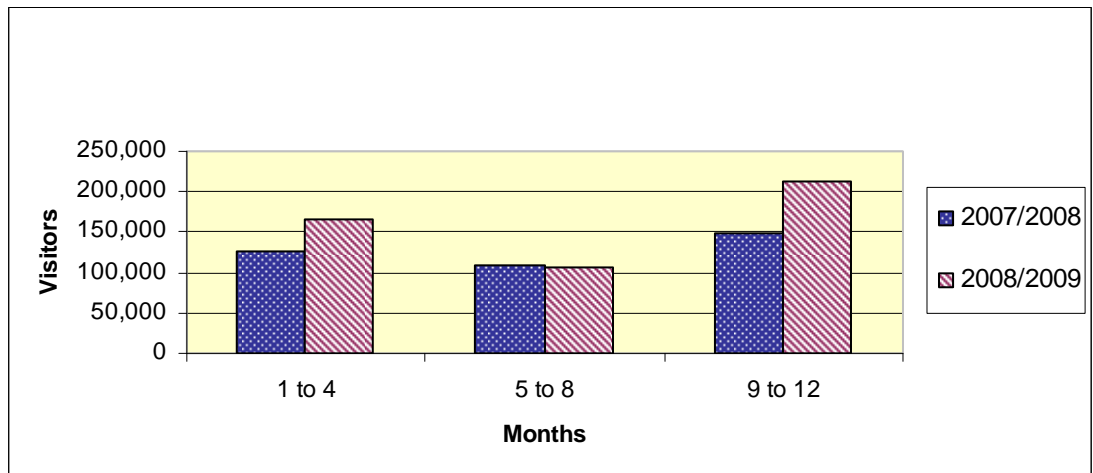


Chart 1: Total Trusts Stadium Visitors 2007/2008 vs 2008/2009

12. Chart 2 shows the visitors to the Stadium per category compared with the previous year. Community Precinct users, Precinct Event visitors and Functions were all considerably higher than the previous year while Arena Event visitors were down and Community Arena users remained stable.

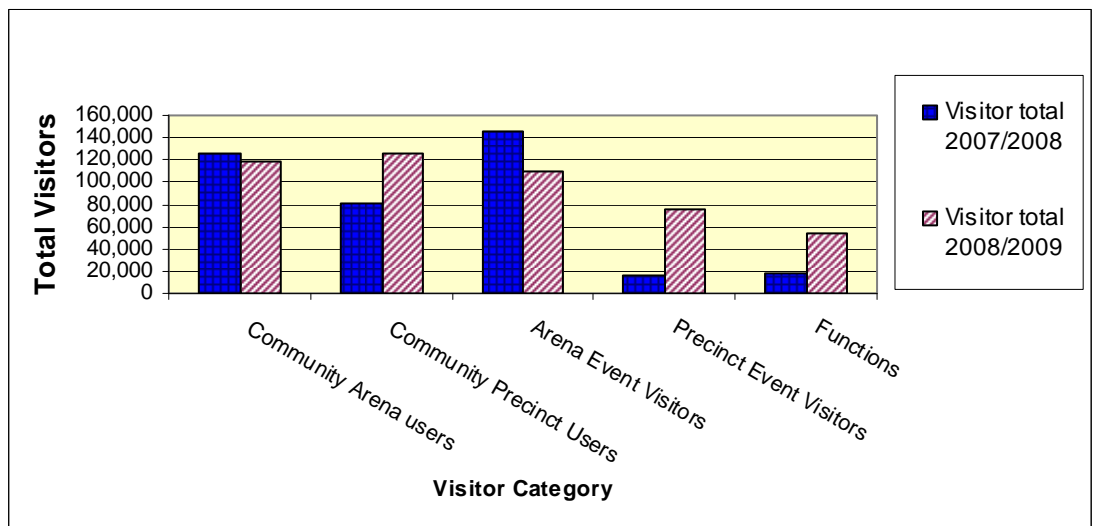


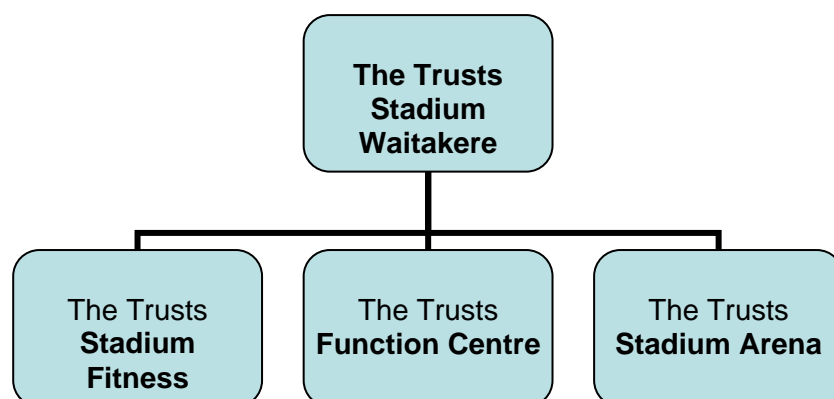
Chart 2: Visitor per category comparison 2007/2008 vs 2008/2009

Casual Track and Field Users

13. There has been a considerable increase in Community Precinct users from previous years. The main reason for this has been the inclusion of casual users of the Douglas Track and Field, which were previously estimated by the Stadium. The Stadium decided to record the daily visitors using a camera to ascertain how many people were actually using the track and field facilities. The camera recorded 228 casual users over the course of a day which was much more than anticipated and previously estimated. This result was on a week day in the middle of winter and therefore the Stadium are proposing that this figure be used as a daily average and these figures are included in the Community Precinct users figures.
14. This equates to an extra 27,816 visitors every four months and is the reason for the considerable growth in that category this year. This growth also reflects the significant increase in awareness of the facility and the uptake in causal use, of the athletic track in particular, which the Stadium notes is being used by many walkers, runners and people with pushchairs for casual fitness, in preference to footpaths in the area. Comments from the Stadium suggest the track is increasingly seen by the community as a safe recreation area for the City.

Re-branding

15. The Stadium has recently undertaken a re-branding exercise to differentiate between the various aspects of the business. The issue the Stadium was facing when trying to market the facilities to the potential clients was that many clients saw the Stadium as a sports stadium with associated facilities. With the new branding the Stadium has established a distinct brand with promotional material for the fitness centre, the function centre and the arena. This has enabled the Stadium to market the specific facilities to prospective clients without the stigma or misconception that might come from it being part of a sports stadium.
16. The Trusts Stadium Waitakere remains the overarching brand but now each distinct area has its own website and promotional material that accompanies it. The new brands are:
 - i. The Trusts **Stadium Fitness** (replaces Momentum Fitness);
 - ii. The Trusts **Function Centre; and**
 - iii. The Trusts **Stadium Arena.**



17. The Stadium has seen considerable growth in function visitors this year from 17,435 to 53,915 which can be largely put down to the re-branding and the new partnership with the new catering company SERO. What is noticeable however, is that although function bookings are up, the spend per head is down (consistent with industry trends in the recession) and the Stadium has noticed several non-catered or lesser catered functions as a result of the recession.

Events

18. The Stadium met, and in most cases, exceeded the event targets in the Agreement. A large number of high profile, medium profile, community and cultural events and conventions were held at the Stadium over the course of the year. Below in Table 2 is a list of events hosted at the Stadium.

High profile events	Medium profile events	Conventions	Major Community Events
<ul style="list-style-type: none"> • Bring it On Finals • Dora the Explorer • All Black vs Barbarians • Gurdaas Maan Concert • Slipknot Concert • Ngapuhi festival • Five LG Mystics home games • Pink Floyd Experience 	<ul style="list-style-type: none"> • All Blacks Training • Auckland Blues pre season game • IAAF Black Singlet Invitational • Waitakere United home games • Youth Trans Tasman Touch Tournament • Bring it on Finals • Waitakere Fun Run • Touch NZ age group nationals • University Sport Games • Step Up Foundation event 	<ul style="list-style-type: none"> • Kids Fair • 3AM Show your Ability Expo • Bhamian Rug Expo • Bible College Re-launch 	<ul style="list-style-type: none"> • Craft out West • Toddlers Day Out • Korean Sports Day • Diwali • Waitakere Business Awards Dinner

Table 2: Events hosted at the Stadium 2007/2008

19. A number of these major events would not have been possible without the support, in both the bidding and funding phases, of Council (in particular the Events and Parks units). Over the year Council played a major role in securing the Ngapuhi Festival, All Blacks versus Barbarians and All Black training sessions, the Waitakere Fun Run, the Touch NZ Nationals, Craft Out West, Toddlers day Out, Diwali Festival and the Waitakere Business Awards. Council is also a major sponsor of the LG Northern Mystics netball franchise.
20. The recession was expected to have some impact on the events at the Stadium and in the four month report the Stadium was anticipating a significant drop in activity. Whilst the Stadium did notice a decrease in the number of large scale events it has managed to attract smaller to medium scale events that come with less risk. This would appear consistent with the risk adverse environment a recession creates for event promoters and a good example of this is the former regular client of the Stadium, Dean Lonergan Events (DLE) Limited, has not run any events in New Zealand this year. DLE in previous years has promoted a number of events at the Stadium that have attracted several thousands of visitors.
21. Overall the Stadium was satisfied with the result achieved this year through the events side of the business. A strength of the Stadium continues to be the flexibility available to event organisers with the different modes the Arena can be set up in. The different size spaces and the ability to host both outdoor and indoor events make the Stadium an attractive option for event organisers and promoters.

Community Arena Users

22. The Stadium continues to provide a large amount of community arena time for groups wanting to hire space for sport and recreational activities. Over the course of the year the Stadium made available 93% of peak hours for Community Arena users. This exceeded the amount made available in previous years and this could largely be put down to the decrease in large scale events such as the World Netball Championship which utilised the entire Arena for long periods. Of that available time, 51% was used by the community which was an improvement from what was reported in the four month report.
23. The Stadium has been able to secure a number of new users such as Turbo Touch, Waitakere Rebels Volleyball Club and the Word of Life Church who are using more of that available time. The Stadium are working to encourage a number of schools to use the Arena during the day with Sunderland College continuing to be the most frequent user of the subsidised rates the Stadium provides for school groups.
24. Basketball Waitakere City (BWC) and Netball Waitakere continue to be main users of the Arena with the BWC using 3,174, and Netball Waitakere using over 850, peak and off peak hours.

Asset Management Plan

25. The Stadium has recently completed a comprehensive Asset Management Plan which outlines the expected timeframes and costs for the replacement of assets. The Asset Management Plan provides timeframes for when assets need to be replaced to ensure a high standard is maintained throughout and not let the facility deteriorate and standards drop.
26. The details of the Asset Management Plan and Council's commitment to asset maintenance and replacement will be discussed in more detail with Council's Finance unit.

Financial

27. The Stadium finished the 2008/2009 financial year 23% ahead of initial budget and 8% ahead of the eight month reforecast budget showing the Stadium's continued focus on sound financial management. A copy of the full audited accounts will be made available to Council officers in late September 2009 for review following the Stadium's independent audit. This will be reported back in the Stadium's four month report in December 2009.

Overall

28. The Stadium has been able to diversify their business over the last 12 months to minimise the impact of the recession. The re-branding exercise has proved to be effective with an increase in function bookings, while the flexibility of the arena and precinct enabled the Stadium to attract an increased number of small to medium scale events which offset the decrease in large scale events. Community Arena use continues to remain stable with a slight increase in the utilisation rate due to securing a number of new regular users.
29. The Stadium has achieved more total visits to the wider precinct in this year than any other year with 535,000 total visitors (including Trusts Stadium Fitness and Physiotherapy Centre users) compared to 2007/2008 with 460,000, making this year the most utilised the facility has been since opening. The previous best year was 2006/2007 with a total of 512,000 visitors.

30. Overall 2008/2009 financial year has been a positive year for the Stadium. The management and WCST should be congratulated for steering the Stadium through a potentially difficult period.

STRATEGIC CONTEXT

31. The Council's support for the Stadium contributes to a number of Key Community Outcomes, namely Strong Communities, Strong Innovative Economy, Urban and Rural Villages and the Healthy Lifestyles. The Stadium provides a venue for active and passive recreation, contributes to Henderson's recreation precinct, and provides a vehicle for employment and stimulation of the local economy.

CONSULTATION

32. The Agreement was developed in consultation with the management of the Stadium and the WCST.

RESOURCES

33. The Council approved an operational subsidy of \$475,000 in the Annual Plan 2008/2009.
34. Council officer time is provided through Leisure Services, who manage the relationship and Agreement with the Stadium.
35. The Council passed the following resolution on 27 February 2008 to fund the renewals costs of the building:

"2 That the Council provide for renewals of The Trusts Stadium building only, in its Long Term Council Community Plan 2009-2019 with the funding of these renewals to be determined by the Council. This funding would be subject to the production of a full Asset Management Plan for The Trusts Stadium that is approved by the Council as part of the Long Term Council Community Plan 2009-2019 process and Waitakere City Stadium Trust meeting all commitments in respect to current and future Funding and Service agreements."

188/2008

IMPLEMENTATION ISSUES

36. There are no implementation issues associated with this report.

AUCKLAND COUNCIL TRANSITION ISSUES

37. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation

Report prepared by: Rob McGee, Recreation Planner, Leisure Services.



PART E - REPORTS FROM THE SUBCOMMITTEES

13 COMMUNITY ASSISTANCE FUND ALLOCATION SUBCOMMITTEE

THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS MEETING HELD ON MONDAY, 27 JULY 2009

1 COMMUNITY WELLBEING CITYWIDE FUND ASSESSMENT AND ALLOCATION REPORT

It is recommended that the Finance and Operational Performance Committee resolve to:

Approve the allocation of funds for the Community Wellbeing Citywide Fund 2009/2010, as follows:

Reference Number	Applicant (NAR)	Funds Requested	Funds Allocated
1139	BIG BUDDY MENTORING TRUST	\$3,000.00	\$1,350.00
1141	TAGATA MATUTUA SAMOA	\$30,000.00	\$1,000.00
1143	KIDSCAN CHARITABLE TRUST	\$20,000.00	\$0.00
1145	CHILD PROTECTION STUDIES	\$3,000.00	\$0.00
1146	WAITAKERE ABUSE & TRAUMA COUNSELLING	\$3,350.64	\$1,000.00
1148	UNITED SRI LANKA ASSOCIATION	\$1,510.00	\$1,000.00
1150	PREGNANCY COUNSELLING SERVICES	\$3,000.00	\$1,400.00
1152	WAITAKERE HEALTH LINK	\$3,500.00	\$1,100.00
1153	YOUTH DEVELOPMENT TRUST WAITAKERE	\$2,730.00	\$1,500.00
1154	ORATIA BOWLING CLUB INC	\$2,989.57	\$0.00
1155	MAN ALIVE INCORPORATED	\$1,500.00	\$1,000.00
1156	LAINGHOLM BAPTIST CHURCH	\$2,000.00	\$0.00
1157	ARTHRITIS NEW ZEALAND	\$3,000.00	\$0.00
1158	FRIENDS OF ARATAKI	\$3,000.00	\$1,500.00
1159	LIFE EDUCATION TRUST	\$3,000.00	\$1,400.00
1160	THE AUCKLAND OBSERVATORY & PLANETARIUM TRUST	\$3,000.00	\$0.00
1161	FRUITVALE SCHOOL	\$1,200.00	\$0.00
1162	TOROA PRESERVATION SOCIETY INC	\$1,719.00	\$1,100.00
1164	SPECIAL OLYMPICS - WAITAKERE	\$2,970.00	\$1,500.00
1165	HENDERSON RIDING FOR THE DISABLED	\$3,000.00	\$1,000.00
1166	WEST LYNN GARDENS INC	\$1,603.12	\$1,100.00
1167	TOUGH LOVE PARENTS SUPPORT GROUP - MASSEY	\$2,997.80	\$1,400.00
1168	WEST AUCKLAND HOSPICE	\$3,000.00	\$1,000.00
1169	WAITAKERE ADULT LITERACY INC	\$3,966.00	\$1,250.00
1170	CHILDRENS AUTISM FOUNDATION	\$3,000.00	\$1,200.00
1171	FAMILY EDUCATION NETWORK	\$2,940.00	\$1,000.00

Reference Number	Applicant (NAR)	Funds Requested	Funds Allocated
1172	GLEN EDEN COMMUNITY HOUSE	\$1,470.00	\$0.00
1173	PARENTS INC	\$3,000.00	\$0.00
1174	WATERSAFE AUCKLAND	\$4,686.00	\$0.00
1175	YOUTHLINE WAITAKERE	\$4,138.00	\$1,750.00
1176	YOGA INSTITUTE OF NEW ZEALAND	\$2,500.00	\$1,000.00
1177	GRANDPARENTS RAISING GRANDCHILDREN	\$2,000.00	\$1,100.00
1178	MASSEY RUGBY UNION FOOTBALL CLUB	\$2,000.00	\$0.00
1179	CARE WAITAKERE TRUST	\$2,940.00	\$1,100.00
1180	UNITED NORTH PIHA LIFEGUARD SERVICE	\$3,000.00	\$1,400.00
1181	DISABILITY INFO WAITAKERE NETWORK INC	\$2,144.00	\$1,000.00
1182	NEIGHBOURHOOD SUPPORT WAITAKERE	\$3,000.00	\$1,500.00
1183	ALZHEIMER'S AUCKLAND INC	\$3,000.00	\$0.00
1184	AGE CONCERN AUCKLAND INC	\$2,618.00	\$1,000.00
1185	AUCKLAND FESTIVAL OF PHOTOGRAPHY TRUST	\$3,090.00	\$0.00
1186	ADVENTURE CAMP TRUST BOARD	\$5,000.00	\$1,000.00
1187	WESTERN REFUGE SOCIETY	\$3,000.00	\$1,500.00
1188	DAYSRING TRUST	\$3,000.00	\$1,000.00
1189	WEST AUCKLAND HISTORICAL SOCIETY	\$3,000.00	\$1,400.00
1190	GLEN EDEN BAPTIST CHURCH	\$3,000.00	\$0.00
1191	KELSTON COMMUNITY TRUST	\$1,500.00	\$0.00
1192	FRIENDSHIP CENTRE TRUST	\$1,500.00	\$1,200.00
1193	FRIENDSHIP CENTRE TRUST	\$1,500.00	\$0.00
1194	WEST AUCKLAND PARENTS CENTRE	\$2,591.35	\$1,450.00
1195	ALTERNATIVES TO VIOLENCE PROJECT (AUCK)	\$3,000.00	\$1,200.00
1196	THE UPSIDE DOWNS EDUCATION TRUST	\$14,400.00	\$0.00
1198	PARENTS INC	\$3,000.00	\$1,000.00
1199	JOBSEEKERS NETWORK	\$3,000.00	\$0.00
1200	WEST AUCKLAND COMMUNITY TOY LIBRARY	\$3,000.00	\$1,350.00
1201	PARENT AID WAITAKERE INC	\$2,130.00	\$1,000.00
1202	PIHA SURF LIFE SAVING CLUB	\$2,000.00	\$1,000.00
1203	SPORT WAITAKERE TRUST	\$4,079.66	\$0.00
1204	WOMEN'S CENTRE WAITAKERE CITY	\$2,631.59	\$1,200.00
1205	WAVES TRUST	\$3,000.00	\$1,000.00
1206	WAITAKERE KIRIBATI COMMUNITY ASSOCIATION	\$3,000.00	\$1,000.00

Reference Number	Applicant (NAR)	Funds Requested	Funds Allocated
1207	KAREKARE SURF LIFESAVING PATROL INC	\$3,011.80	\$1,350.00
1208	WEST CITY YOUTH TRUST	\$3,000.00	\$1,000.00
1209	VIOLENCE FREE WAITAKERE	\$2,000.00	\$1,000.00
1210	NEW LYNN SEA SCOUT GROUP	\$2,951.72	\$0.00
1211	FA'APOTOPOTOGA 'AU USO KERISIANO - RANUI	\$4,845.00	\$0.00
1212	ACE SPACE - WAITAKERE LEARNING SHOP	\$1,199.00	\$1,100.00
1213	ADVENTURE CAMP TRUST BOARD	\$1,830.00	\$1,000.00
1214	JYOTI GOOD NEWS A O G CHURCH	\$3,000.00	\$0.00
1215	VAITUPU COMMUNITY TRUST	\$3,597.11	\$1,100.00
1216	PHAB ASSOCIATION INC	\$3,000.00	\$1,000.00
	Total Funding Requested	\$250,329.36	\$56,500.00

2 MATTERS CONSIDERED

A57-A60

The Subcommittee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages A57 to A60.

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the meeting report of the Community Assistance Fund Allocation Subcommittee held on Monday, 27 July 2009.

JM Clews, QSO, JP
CHAIRMAN



14 TENDERS SUBCOMMITTEE

THE SUBCOMMITTEE SUBMITS THE FOLLOWING REPORTS OF ITS MEETINGS HELD ON FRIDAY, 26 JUNE 2009, FRIDAY, 10 JULY 2009 AND FRIDAY, 24 JULY 2009

MATTERS CONSIDERED

A61-A84

The Subcommittee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages A61 to A84.

It is recommended that the Finance and Operational Performance Committee resolve to:

Receive the meetings reports of the Tenders Subcommittee held on Friday, 26 June 2009, Friday, 10 July 2009 and Friday, 24 July 2009.

RI Clow
CHAIRMAN



PART F - PUBLIC EXCLUDED MATTER

15 NEW LYNN TRANSIT ORIENTED DEVELOPMENT PROJECT - LAND ACQUISITION FOR NEW ACCESS TO 1B AND 1C RANKIN AVENUE, NEW LYNN

This item will be considered in the Confidential Supplement of the agenda, and has been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following part of the proceedings of this meeting, New Lynn Transit Oriented Development Project - Land Acquisition For New Access To 1B And 1C Rankin Avenue, New Lynn.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
New Lynn Transit Oriented Development Project - Land Acquisition For New Access To 1B And 1C Rankin Avenue, New Lynn	The withholding of information is necessary in order to: <ul style="list-style-type: none">• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7(2)(i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- *This report contains information which if released could affect the Council's negotiations.*

